Filed
JUL 15 2015 MELINDA HAAG (CABN 132612) 1 United States Attorney 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 UNITED STATES OF AMERICA, CASE NO. CR14-0051-RMW Plaintiff. 13 <u>VIOLATIONS</u>: 18 U.S.C. § 2425 – Use of Interstate 14 Facilities To Transmit Information About a Minor; 18 U.S. C. § 2 – Aiding and Abetting 15 JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER, 16 Defendants. 17 18 19 20 SUPERSEDING INFORMATION 21 The United States Attorney charges: 22 COUNT ONE: (18 U.S.C. § 2425 and § 2 – Use of Interstate Facilities to Transmit Information About a 23 Minor; Aiding and Abetting) 24 On or about June 20, 2013, within the Northern District of California, defendants JUSTIN 25 EVERETT CRUTCHFIELD and DEMONTAE TERELL TOLIVER, using the mail and any facility and 26 means of interstate and foreign commerce, knowingly initiated and attempted to initiate the transmission 27 of the name, address, telephone number, social security number, and electronic email address of another 28

SUPERSEDING INFORMATION

individual, namely, posting in a classified ad on "MyRedbook.com" the telephone number to reach L.G., knowing that L.G. had not attained the age of 16 years, with the intent to entice, encourage, offer, and solicit any person to engage in any sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Sections 2425 and (2). 7/15/15 DATED: MELINDA HAAG United States Attorney Chief, San Jose Office (Approved as to form

SUPERSEDING INFORMATION

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT	
BY: COMPLAINT INFORMATION INDICTMENT OFFENSE CHARGED COUNT ONE: 18 U.S.C. §2425 and §2 - Use of Interstate Facilities to Transmit Information about a Minor; Aiding and Abetting Minor Misde means	SAN JOSE DIVISION DEFENDANT - U.S JUSTIN EVERETT CRUTCHFIELD
PENALTY: Maximum prison term - 5 years, Maximum fine \$250,000, Supervised release term - 5 years to life [see 18 U.S.C. § 3583(k)], Restitution, as ordered by Court, Mandatory special assessment \$100.	DISTRICT COURT NUMBER CR 14-00051 RMW DEFENDANT
PROCEEDING	IS NOT IN CUSTODY
Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding. 1) If not detained give date any prior summons was served on above charges
S/A Ann Trombetta - FBI person is awaiting trial in another Federal or State Court, give name of court	2) S a Fugitive 3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY 4) On this charge
this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE	5) On another conviction Federal State State On another conviction Federal State State Federal State State On another conviction Federal State State Federal State State Federal State
this prosecution relates to a pending case involving this same defendant MAGISTRATE CASE NO.	
prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	DATE OF Month/Day/Year ARREST Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
Name of Assistant U.S. Attorney (if assigned) AMIE D. ROONEY	This report amends AO 257 previously submitted
PROCESS: ADDITIONAL INF	ORMATION OR COMMENTS —
☐ SUMMONS 区 NO PROCESS* ☐ WARRANT	Bail Amount:
If Summons, complete following: Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	Date/Time: Before Judge:
Comments:	

DEFENDANT INFORMATION RELATIVE TO	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDIN	10 10 10 10 10 10 10 10 10 10 10 10 10 1
D 5598 9 9-553 9240 C. (1994 C	SAN JOSE DIVISION
COUNT ONE: 18 U.S.C. §2425 and §2 - Use of Interstate Facilities to Transmit Information about a Minor; Aiding and	
Abetting	DEFERDANTI GIG
Misde mean	
X Felon	DISTRICT COURT NUMBER
PENALTY: Maximum prison term - 5 years, Maximum fine \$250,000, Supervised release term - 5 years to life [see 18 U.S.C. § 3583(k)], Restitution, as ordered by Court, Mandatory special assessment \$100.	CR 14-00051 RMW
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY
Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding. 1) If not detained give date any prior
S/A Ann Trombetta - FBI	summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
☐ give name of court	BIO. UL 15
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	WOIST OIST VILL
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) ⊠ On this charge
this is a reprosecution of	, <u>S</u>
charges previously dismissed which were dismissed on motion	5) On another conviction
of: DOCKET NO.	
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
<u>, </u>	-
this prosecution relates to a pending case involving this same	Has detainer Yes If "Yes"
defendant MAGISTRATE	been filed? No Silve date filed
prior proceedings or appearance(s)	DATE OF Month/Day/Year
before U.S. Magistrate regarding this	ARREST 7
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
□ U.S. Attorney □ Other U.S. Agency	
Name of Assistant U.S.	☐ This report amends AO 257 previously submitted
Attorney (if assigned) AMIE D. ROONEY	—
PROCESS: ADDITIONAL INF	ORMATION OR COMMENTS —
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	
	Date/Time: Before Judge:
Commente	$\Lambda \Lambda$